

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Mark Hoffman, Donald A. McRae, Paul Samuelson, Evan Schulman, and James L. WalkerSerial No./Patent No.: 7,249,080Filed/Issue Date: July 24, 2007For: CheckFree Services Corporation, a Delaware corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is %

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel       , Frame       , for which a copy thereof is attached.

**OR**

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Mark Hoffman, Donald A. McRae, Paul Samuelson, Evan Schulman To: Upstream Technologies LLC. The document was recorded in the United States Patent and Trademark Office at Reel 01643, Frame 0482, or for which a copy thereof is attached.
2. From: James L. Walker To: Upstream Technologies LLC.  
The document was recorded in the United States Patent and Trademark Office at Reel 012636, Frame 0964, or for which a copy thereof is attached.
3. From: Upstream Technologies LLC To: CheckFree Services Corporation.  
The document was recorded in the United States Patent and Trademark Office at Reel 020325, Frame 0353, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplement sheet☒ Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of the undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned is authorized and empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature: J. V. ChangPrinted Name: Jason V. Chang Reg. No. 58,092Date: 3/3/08

## ASSIGNMENT

We, Mark Hoffman of Norwell, MA, Donald A. McRae of Chagrin Falls, OH, Paul Samuelson of W. Newton, MA, Evan Schulman of Boston, MA and James L. Walker of Maynard, MA in consideration of One Dollar and other valuable consideration paid to me by Upstream Technologies LLC, a corporation of the state of Massachusetts, having its principal place of business at 745 Boylston Street, Suite 401, Boston, MA 02116, the receipt of which is hereby acknowledged, do hereby sell, assign and transfer unto said

Upstream Technologies LLC

its successors and assigns, the entire interest for the United States of America and all foreign countries including all rights of priority under the International Convention for the Protection of Industrial Property in a certain invention or improvement in

## INVESTMENT ADVICE SYSTEMS AND METHODS

described in application Serial No. 09/696,762 filed on October 25, 2000 in the United States Patent and Trademark Office, and in all Letters Patent of the United States and all foreign countries which may or shall be granted on said invention, or any parts thereof, or on said application, or any divisional, continuing, reissue or other applications based in whole or in part thereon. And I agree, for my and my executors and administrators, with said corporation and its successors and assigns but at its or their expense and charges, hereafter to execute all applications, amended specifications, deed or other instrument, and to do all acts necessary or proper to secure the grant of Letters Patent in the United States and in all other countries to said corporation, with specifications and claims in such form as shall be approved by the counsel of said corporation and to vest and confirm in said corporation, its successors and assigns, the legal title to all such patents.

And I do hereby authorize and request the Commissioner of Patents and Trademarks of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said corporation, its successors and assigns.

WITNESS my hand this 9 day of Feb., 2000.

By: Mark Hoffman

Mark Hoffman

State of Massachusetts  
County of Suffolk

On this the 9th day of February, 2000, before me personally appeared Mark Hoffman, to me personally known, and known to me to be the person who signed the foregoing assignment, and acknowledged the signing of same as his free act and deed.

Barbara B. Francis  
Notary Public

My commission expires 1-24-03  
BARBARA B. FRANCIS  
Notary Public

My Commission Expires January 24, 2003

WITNESS my hand this 9 day of Feb, 2000.

By: Donald A. McRae

Donald A. McRae

State of )

County of )

On this the 09 day of FEB, 2000, before me personally appeared Donald A. McRae, to me personally known, and known to me to be the person who signed the foregoing assignment, and acknowledged the signing of same as his free act and deed.

JENI L. JONES

Notary Public, State of Ohio, Cuy. Cty.  
My Commission Expires Nov. 16, 2002

Jeni L. Jones  
Notary Public

My commission expires 11-16-02

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2000.

By: Paul Samuelson

Paul Samuelson

State of )

County of )

On this the \_\_\_\_\_ day of \_\_\_\_\_, 2000, before me personally appeared Paul Samuelson, to me personally known, and known to me to be the person who signed the foregoing assignment, and acknowledged the signing of same as his free act and deed.

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_

WITNESS my hand this 9 day of Feb., 2000.

By: Evan Schulman

Evan Schulman

State of Massachusetts )  
County of Suffolk )

On this the 9th day of February, 2000, before me personally appeared Evan Schulman, to me personally known, and known to me to be the person who signed the foregoing assignment, and acknowledged the signing of same as his free act and deed.

Barbara B. Francis  
Notary Public

My commission expires 1-24-03

BARBARA B. FRANCIS

Notary Public

My Commission Expires January 24, 2003

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2000.

By: \_\_\_\_\_

Donald A. McRae

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ )

On this the \_\_\_\_\_ day of \_\_\_\_\_, 2000, before me personally appeared Donald A. McRae, to me personally known, and known to me to be the person who signed the foregoing assignment, and acknowledged the signing of same as his free act and deed.

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_

WITNESS my hand this 13th day of February, 2000.

By: \_\_\_\_\_

Paul Samuelson

State of Massachusetts )  
County of Suffolk )

On this the 13th day of February, 2000, before me personally appeared Paul Samuelson, to me personally known, and known to me to be the person who signed the foregoing assignment, and acknowledged the signing of same as his free act and deed.

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_

BARBARA B. FRANCIS

Notary Public

My Commission Expires January 24, 2003

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2000.

By: \_\_\_\_\_

Evan Schulman

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ )

On this the \_\_\_\_\_ day of \_\_\_\_\_, 2000, before me personally appeared Evan Schulman, to me personally known, and known to me to be the person who signed the foregoing assignment, and acknowledged the signing of same as his free act and deed.

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2000

By: \_\_\_\_\_

James L. Walker

State of \_\_\_\_\_ )

County of \_\_\_\_\_ )

On this the \_\_\_\_\_ day of \_\_\_\_\_, 2000, before me personally appeared James L. Walker, to me personally known, and known to me to be the person who signed the foregoing assignment, and acknowledged the signing of same as his free act and deed.

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_

## **ASSIGNMENT NUNC PRO TUNC**

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WHEREAS, Upstream Technologies LLC, a limited liability company organized and existing under the laws of Massachusetts, whose registered office is at 575 Boylston Street, 8<sup>th</sup> Floor, Boston, Massachusetts USA 02116 (hereinafter "ASSIGNOR"), owned certain inventions and improvements disclosed in the Patents and Patent Applications listed on Schedule A hereto (hereinafter the "PATENTS & PATENT APPLICATIONS"); and

WHEREAS, in accordance with an Asset Purchase Agreement dated May 12, 2007 in respect of certain property, rights and liabilities of ASSIGNOR in favor of **CheckFree Services Corporation**, a company organized and existing under the laws of Delaware, whose registered office is at 4411 East James Bridge Rd., Norcross, Georgia, USA 30092 (hereinafter, "ASSIGNEE"), ASSIGNEE agreed to obtain the full, exclusive and entire right, title, and interest in and to said PATENTS & PATENT APPLICATIONS and the inventions and improvements disclosed and described therein;

WHEREAS, ASSIGNOR and ASSIGNEE now desire to enter into this Assignment Nunc Pro Tunc formalizing the prior transfer to ASSIGNEE of the said PATENTS & PATENT APPLICATIONS and the inventions and improvements disclosed and described therein in a form acceptable for recordation by the respective patent office and publication in compliance with legal stipulations.

NOW, THEREFORE, for and in consideration of Five Dollars (\$5.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, ASSIGNOR by these presents did formally sell, assign and transfer unto ASSIGNEE, effective as of May 31, 2007, the full, exclusive and entire right, title, and interest in and to said PATENTS & PATENT APPLICATIONS, in and to any provisionals, nonprovisionals, divisions, continuations, and reissues of said PATENTS & PATENT APPLICATIONS, in and to all inventions and improvements disclosed and described in said PATENTS & PATENT APPLICATIONS, in and to any Letters Patent granted on said PATENTS & PATENT APPLICATIONS and any provisionals, nonprovisionals, divisions, continuations, and reissues thereof, including the right to sue for damages and other remedies in respect of any infringement of the PATENTS which may have occurred before the effective date of this assignment;

AND, for the same consideration, ASSIGNOR agrees to sign all lawful papers, execute all divisional, continuing, reissue and other applications, and make all assignments and rightful oaths, reasonably to aid ASSIGNEE, its successors, assigns, and nominees, to obtain and enforce proper protection for all said inventions and improvements.

ASSIGNOR further agrees that all necessary records of ASSIGNOR to establish priority of invention in any interference or similar proceeding will be made available at no additional charge to ASSIGNEE, in the event such records exist and are needed in connection with any of the assigned Letters Patent or applications for Letters Patent.

This Assignment is expressly made NUNC PRO TUNC to have the same legal force and effect as if executed on May 31, 2007.

IN WITNESS WHEREOF, the undersigned has caused this Assignment to be executed by its duly authorized officers this 31st day of May, 2007.

ASSIGNOR:

Mark W. Hoffman

By: Mark W. Hoffman

Position: CEO and President

**CERTIFICATE OF ACKNOWLEDGEMENT**

STATE OF MA  
COUNTY OF Suffolk

Before me, the undersigned attesting officer duly authorized to administer oaths, a Notary Public, on this 23 day of May, 2007, personally appeared Mark W. Hoffman, to me known personally, and who, being by me duly sworn, deposes and says that she/he is the \_\_\_\_\_ of \_\_\_\_\_, and that said instrument was signed on behalf of said company by authority of its Board of Directors, and said \_\_\_\_\_ acknowledged said instrument to be the free act and deed of said company.

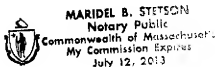
Maridell Stetson

NOTARY PUBLIC

(SEAL)

My Commission Expires:

July 12, 2013





IN WITNESS WHEREOF, the undersigned has caused this Assignment to be executed by its duly authorized officers this 23 day of May, 2007.

ASSIGNEE:

Mark A. Johnson

By: Mark A. Johnson

Position: Vice Chairman

**CERTIFICATE OF ACKNOWLEDGEMENT**

STATE OF Georgia  
COUNTY OF Gwinnett

Before me, the undersigned attesting officer duly authorized to administer oaths, a Notary Public, on this 23 day of May, 2007, personally appeared Mark A. Johnson, to me known personally, and who, being by me duly sworn, deposes and says that she/he is the Vice Chairman of Check-Free Services Corporation and that said instrument was signed on behalf of said company by authority of its Board of Directors, and said Vice Chairman acknowledged said instrument to be the free act and deed of said company.

Alice A. Walsh

NOTARY PUBLIC

My Commission Expires: November 7, 2010

(SEAL)



**SCHEDULE A**

<b>Title</b>	<b>Application Number/Patent Number</b>
Investment Advice Systems and Methods	US Patent Application No. 09/696,762
Investment Advice Systems and Methods	Continuation of US Patent Application No. 09/696,762, filed on May 1, 2007, Attorney Ref. No. 24309-502